

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, NOVEMBER 10, 2016

Presiding: Mayor David D. Ogden
Meeting Convened at 6:30 p.m.
Prayer: Bruce Arnell
Pledge of Allegiance

PUBLIC HEARING (Proposed Parking Violation Fees): Mayor Ogden welcomed everyone and brought the public hearing to order. He presented a brief review of the procedure for the public hearing and the city's parking violation fees. Clerk-Treasurer Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of approving the proposed revisions. No one testified.

The mayor called for those neutral to approving the proposed revisions. Travis Williams testified. He had two concerns about the parking violation fees. One - that there was no verbiage on the resolution to show how to appeal the fine; and Two – the "Parking on Private Lot Without Consent" fee is illegal since the city does not have jurisdiction.

The mayor called for those against approving the proposed revisions. No one testified.

6:45 p.m The public hearing ended, and the council convened its regular meeting.

DISCUSSION AND POSSIBLE MOTION TO ADOPT THE PARKING VIOLATION FEES: The council discussed the proposed parking violation fees and the concerns raised by Mr. Williams. They decided to table the resolution until the city attorney can review Mr. William's concerns and the fee amounts to make sure they are not in conflict with the fees listed in the current City Code.

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Matt Garner, Bruce Arnell, and Joe Cherrington; Chairman Brent Barrus of the Planning and Zoning Commission; and Citizens Jesse Brown, Todd Lines, Bert McLaughlin, Logan Weaver, and Travis Williams.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on October 27, 2016. Each councilman had a copy of the minutes prior to the meeting. Councilman Arnell asked that "conversed with" be inserted for "met with" on page 2 under "Flood Plain Update" and "was" inserted for "will be" along with "on water matters at the state level" for "at future summits" on page 3 under Councilman Arnell's Department Reports. It was moved by Councilman Garner and seconded by Councilman Cherrington to accept the minutes with the change; motion carried.

RECONCILIATION REPORTS: Wendy presented the October reconciliation reports for the General Fund. It was moved by Councilman Garner and seconded by Councilman Arnell to accept the October reconciliation reports for the General Fund; motion carried. Wendy presented the October reconciliation reports for the Utility Fund. It was moved by Councilman Cherrington and seconded by Councilman Arnell to accept the October reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$142,965.97. It was moved by Councilman Cherrington and seconded by Councilman King to pay the current bills, together with all regular November bills; motion carried.

PLANNING AND ZONING COMMISSION REPORT: Commissioner Brent Barrus reported on the following items:

Land Use Schedule Title 9 Update: The commission has set 17 November 2016 for the public hearing for the revisions to the Land Use Schedule and Mike Stears' Special Use Permit application.

Impact Area Update: The commission is meeting with the survey group this Monday to go over details. The group will conclude the survey at the end of the semester.

PROPOSED NEW PLANNING & ZONING COMMISSIONERS: The mayor would like to appoint Scott Briggs and Val Bush to the Planning and Zoning Commission. Scott Briggs will replace impact area representative Dr. Hans Redd. Mr. Bush has served on the Committee prior.

MOTION: It was moved by Councilman King and seconded by Councilman Cherrington to confirm the appointment of Scott Briggs and Val Bush as members of the Planning and Zoning to fill the vacancies left by Dr. Redd and a vacant chair; motion carried.

OLD FARM ESTATES PROPOSED REQUEST FOR PROPOSALS: The city received \$25,000 from Jeff and Ryan Lerwill to initiate a block grant application to secure engineering and administrative assistance, similar to ProPeat, to help develop the infrastructure i.e. roads, sewer, power, water, gas, and other utilities in the Old Farm Estates for Subdivision #2. The proposed development will be for an assisted living and transition center on 5.8 acres just south of 3rd South and west Jeanine Circle. Two buildings of 16 units each are proposed for the living center which will help create 45-50 new jobs. It is estimated to cost \$1.6 million for the new infrastructure. The council agreed to proceed to apply for a grant and request for proposals for an engineer and grant administrator. A selection committee was also named. They will meet Thursday, December 8 at 10:00 a.m. to review the proposals and choose the engineer and grant administrator. Those named to sit on the committee were Councilmen Cherrington, Garner, and Arnell; Public Works Director Zane Baler, and Mayor Dave Ogden.

MOTION: It was moved by Councilman Arnell and seconded by Councilman Garner to ratify the mayor's decision to move forward to put together the request for proposals for Old Farm Estates; motion carried.

EASTERN SNAKE RIVER PLAIN AQUIFER (ESPA): Recently, a regional water shortage has prompted those with senior water rights to file delivery calls with the Department of Water Resources but which were later dismissed. Although the delivery calls did not materialize cities joined together to help mitigate potential mandated water cutbacks and address their concerns. Even though most pressure on the water shortage is agriculturally based, cities (1-3% water usage) are included in the water checks. A ground water management plan is required in the order and "shall provide for managing the effects of ground water withdrawals on the aquifer". The council was asked to review the order designating the Eastern Snake Plain Aquifer ground water management area, especially page 24, where it encourages cities to find alternative ways to offset the effects of their ground water usage. Cities are encouraged to develop a secondary water system to irrigate lawns and parks. The goal of the department is to stabilize the aquifer at 1990 levels. Operational costs would increase with a secondary system. A grant could be sought to help. Mayor Ogden has authorized the city to pay \$800 for a secondary water system study. He will also serve as part of the Association of Idaho Cities (AIC) legislative committee that will represent Idaho cities and interests.

FLOOD PLAIN AGREEMENT: The Federal Emergency Planning Agency (FEMA) recently revised the flood plain model that put most of Sugar City back into the flood plain. North Rexburg and Madison County are also affected by the change. Both cities and the county are working together with Gerald Williams of Williams Engineering to represent the area to FEMA and Strategic Alliance for Risk Reduction (STARR) which specializes in flood plain mapping and produced the flawed revised flood plain model. Mr. Williams asked that a new model be created using the 11 items of current mitigating factors which STARR did not use.

The expected cost for William's Engineering work is \$13,000. A tri-party agreement is recommended to share the cost.

MOTION: It was moved by Councilman Arnell and seconded by Councilman Garner to enter into a trip-party agreement; motion carried.

RESOLUTION NO. 2016-21 (Tri-Party Flood Plain Reimbursement Agreement with Madison County and Rexburg): It was moved by Councilman Arnell and seconded by Councilman Garner to approve Resolution No. 2016-21. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmen Arnell, Garner, Cherrington, and King

Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 1".

RECYCLING PILOT PROGRAM: Holly Christiansen approached the city to do a recycling pilot program. Her family will pick up and empty the recycling cans and deliver them for free to encourage citizens to participate. The hope is to foster enough interest to have a city recycling program. At least one hundred households must participate to make it profitable. The council does not want the city involved in the program.

DEPARTMENT REPORTS:

COUNCILMAN ARNELL:

City Water Lines: Public Works Director Zane Baler reports that he is beginning to see glue joints fail in some of the city water lines. The water system is about 40 years old.

COUNCILMAN KING:

Tree and Beautification Committee Report: Councilman King reported that the committee is still considering names of people to serve on the committee. For Christmas light decorating the committee will decorate the Heritage Park gazebo and string lights from the flag pole for the Christmas tree.

COUNCILMAN GARNER: No report.

COUNCILMAN CHERRINGTON:

AIC Fall Training Meeting Report: Councilman Cherrington reported on the Fall Association of Idaho Cities (AIC). He talked about some of the training he and the other councilmen received. Minutes should be a summary not a transcript. The agenda should be published; no acronyms. Care should be taken to not predict the future and use words like "possible and proposed". The impact area helps future growth and planning. People in the impact area use city amenities and should help pay in the future. It is best to have owners come to the city to be annexed rather than force annexation.

MAYOR'S BUSINESS:

Rural Planning Organization (RPO) Report: Mayor Ogden reported that he met with Bonneville Metro Planning Organization. They have several good ideas that can be implemented in this area. The city is planning on reapplying through the Local Highway Technical Assistance Council (LHTAC) for a grant to help repair and improve 7th West and 9th North.

Veteran's Day: The city purchased a wreath for the mayor to take part in the Veteran's Day program sponsored by the Rexburg Area Chamber of Commerce. The council asked that the wreath be laid in Neibaur Park at the veteran's monument in Sugar City.

Sugar City Museum: Harold Harris wants to help get the city museum organized and running. He will donate the building to get it started and has many items and pictures to display.

Meeting adjourned at 9:15 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

The City of Sugar City, Idaho

Resolution No.: 2016 - 21

“A Resolution to Approve a Tri Party Reimbursement Agreement with Madison County, the City of Sugar City, and the City of Rexburg for work being done By Williams Engineering, Inc. for the City of Sugar City on the negotiations with the Federal Emergency Management Agency (FEMA) and their contractor(s), to upgrade the Floodplain Map for the Madison County Area.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to facilitate the analysis of the floodplain area within Madison County, which may have a significant impact on its current citizens and future growth; and

WHEREAS, the aforementioned analysis done by FEMA and its contractor(s) is being questioned by the City of Sugar City, Madison County and the City of Rexburg, as to its validity and accuracy; and

WHEREAS, an additional analysis done by Williams Engineering, Inc. (WEI), is necessary to demonstrate to FEMA and its contractor(s) that the floodplain map they are proposing is in error, and needs to be modified, and;

WHEREAS, Madison County and the City of Rexburg have agreed to share the cost of this analysis;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

The City Council of the City of Sugar City, Idaho hereby approves the Reimbursement Agreement between Madison County, the City of Sugar City, and the City of Rexburg, and authorizes the Mayor to execute the aforementioned Agreement.

PASSED by the Council of the City of Sugar City on this 10th day of November, 2016

APPROVED by the Mayor of the City of Sugar City, Idaho, on this 10th day of November, 2016.

(SEAL)

David D. Ogden,
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk - Treasurer